8882726/2024/VIG-IV-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Sri C.Ankaiah, the then AP&ES, Nellore District (Retired as Prohibition & Excise Superintendent) involved in the liquor syndicate case of Nellore District – Dropped further action by Implementing the orders dated 25.09.2019 in W.P.No.13493 of 2019 of Hon'ble High Court - Sanctioned Pensionary benefits – Implemented the orders dated 05.02.2023 in W.P.No.1558 of 2023 filed by Sri C.Ankaiah, Retired P&E Superintendent, for payment of interest on delayed pensionary benefits – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.761 **Dated:17.08.2023**

Read the following:-

1. From the DG, ACB, Lr.Rc.No.70/RCO-NNL/2012, Dated:05-11-2012.
2. Govt. Memo.No.49902/VIG.V(2)/2012-1, dated:16-01-2013.
3. Orders dated 25.09.2019 of Hon'ble High Court in W.P.No.13493 of 2019 filed by Sri C.Ankaiah, Retd.P&E Supdt
4. Show Cause notice to respondents in CC.No.549 of 2020 in WP No.13493 of 2019, dated:25.09.2019 filed by Sri C.Ankaiah, Rtd.P&E Supdt.,
5. G.O.Rt.No.950, Rev(Vig.IV) Dept., dated:11.12.2020.
6. Accountant General, AP., Lr.No.AG (A&E)P11/A-530/SP603/2013-10/ 389, dated 28.01.2021.
7. Orders dated:05.02.2023 of Hon'ble High Court in W.P.No.1558 of 2023 filed by Sri C.Ankaiah, Retd.P&E Supdt
8. Representation dated -Nil- (received on 27.03.2023) received from Sri C.Ankaiah, Retd. P&E Supdt.
9. Cr.No.7702/2013/CPE/C4,dated:12.04.2023 from the Commissioner of Proh.& Excise Dept, AP, Vijayawada

****

O R D E R :

Whereas Sri C.Ankaiah, the then AP&ES, Nellore District, while in service was involved in the Liquor Syndicate case of Nellore district along with other Prohibition and Excise officials and recommended his case to TDP by DG, ACB. After following due procedure, Government entrusted his case to TDP along with other P&E officials. Subsequently, he was retired from service on 31.10.2013. The TDP issued charge memo against him in TEC No.458/2013, dated 29.11.2018. Sri C.Ankaiah, Retired P&E Superintendent filed W.P.No.13493/2019 before the Hon'ble High Court on the charge memo and for pensionary benefits. The Hon'ble High Court in it orders dated 25.09.2019 was quashed the charge memo and stated that the petitioner would be entitled to all consequential pensionary and the retirement benefits. Further, Sri C.Ankaiah, Retired P&E Superintendent filed Contempt Case No.549 of 2020 in W.P.No.13493 of 2020 before the Hon'ble High Court for not implementing the orders passed in 13493 of 2019, dated 25.09.2019.

2. Whereas, in the reference 5th read above, the Government issued orders implementing the High Court orders, since the case is contrary to the Rule 9(2)(b)(ii) of AP.Revised Pension Rules, 1980 and dropped further action against Sri C.Ankaiah, Retired P&E Superintendent.,

3. Whereas in the reference 6th read above, the AG, AP., Amaravathi has sanctioned pension and other pensionary benefits to Sri C.Ankaiah, Retd P&E Superintendent.

4. Whereas in the reference 7th read above, Sri C.Ankaiah, Retd P&E Superintendent, has filed W.P.No.1558 of 2023 before the Hon'ble High Court for payment of 9% p.a. interest on delayed Retirement benefits in terms of the orders passed in W.A.No.383 of 2022, dated 12-7-2022.

(PTO)

5. And whereas, the Hon'ble High Court in its order dated 05.02.2023 in W.P.No.1558 of 2023 has passed orders directing the respondent to pay the retirement monetary benefits to be payable and along with interest @ 9% p.a. on the delayed retirement benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to the petitioner, in terms of the judgment dated 12.07.2022 passed by the Division Bench of this Court in Writ Appeal No.383 of 2022.

6. And whereas in the reference 9th read above, Commissioner of Prohibition & Excise, while enclosing a copy of the representation of Sri C.Ankaiah, Retd P&E Superintendent has requested the Government to take further necessary action for sanction of interest @ 9% on the delayed payments of pensionery benefits to avoid any further legal complication in the matter.

7. Government after careful examination of the matter, and keeping in view of the orders dated 05.02.2023 in W.P.No.1558 of 2023 filed by Sri C.Ankaiah, Retired P&E Superintendent, have decided to implement the orders of Hon'ble High Court dated 05.02.2023 and to pay the interest @ 9% p.a. on the delayed pensionery benefits to Sri C.Ankaiah, Retd.P&E Superintendent.

8. Accordingly, Government hereby order to pay the interest @ 9% p.a. on the delayed pensionery benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to Sri C.Ankaiah, Retd.P&E Superintendent.

9. The Commissioner of Prohibition and Excise shall take further necessary action in the matter, accordingly.

10. This order issues with concurrence of Finance (HR) Department vide their UO.No.FIN 01-HROMISC/59/2023-HRIII, dated:12.07.2023.

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNEMNT

To,
Sri C.Ankaiah, Retd P&E Superintendent through the Commissioner of Prohibition and Excise Department, AP, Vijayawada
The Commissioner of Prohibition and Excise Department, AP, Vijayawada
Copy to:
The Finance (HR-III) Department, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
The Dy.Commr of P&E Dept., Guntur.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER